

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>SECURITIES INVESTOR PROTECTION CORPORATION, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.</p>	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
<p>In re: BERNARD L. MADOFF, Debtor IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff, Plaintiff, v. BRUNO L. DI GIULIAN, Defendant.</p>	Adv. Pro. No. 10-04728 (SMB)

[PROPOSED] ORDER DISMISSING THE COMPLAINT

THIS MATTER having come before the Court on the request of Chaitman LLP, counsel for Defendant (“Defendant”), with respect to the Defendant’s Notice of Cross-Motion, Memorandum of Law, Declaration of Helen Davis Chaitman with Exhibit A, and Declaration of Patsy DiGiulian, and on such other and further arguments as may be presented prior to and at the hearing on the cross-motion; and the Court having reviewed all pleadings and other papers filed and submitted in connection with the motion; and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

The complaint is dismissed.

New York, New York

Dated:

Hon. Stuart M. Bernstein
United States Bankruptcy Judge